



03-20-01

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## UTILITY PATENT APPLICATION

## TRANSMITTAL

Attorney Docket No. 148920.00007

Express Mail Label No. ET285021494US

Date March 19, 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a patent application for

**PROCESS FOR PREPARATION OF PROTEIN-HYDROLYSATE FROM SOY FLOUR**

identified by attorney docket no. (see above).

## 1. Type of Application

This application is a new (non-continuing) application.

This application is a  continuation /  divisional /  continuation-in-part of prior application No. . Amend the specification by inserting before the first line the sentence:  
--This is a [continuation/division/continuation-in-part] of United States patent application No. , filed .--

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 50-1682 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

## 2. Contents of Application

a. 17 page patent application (including title page, specification, claims and abstract)

A microfiche computer program (Appendix);  
 A nucleotide and/or amino acid sequence submission;

Because the enclosed application is in a non-English language, a verified English translation  is enclosed  will be filed.

Cancel original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)

b.  Drawings on sheet(s).

Date March 19, 2001

c.  A signed Declaration  is enclosed /  will be filed in accordance with 37 C.F.R. § 1.53(f).

The enclosed Declaration is  newly executed /  a copy from a prior application under 37 C.F.R. § 1.63(d) /  accompanied by a statement requesting the deletion of person(s) not inventors in the continuing application.

d. **Fees**

| <b>FILING FEE</b>  | Number | Number   | <b>Basic Fee</b> |          |                 |
|--|--------|----------|------------------|----------|-----------------|
| <b>CALCULATION</b>   | Filed  | Extra    | Rate             | \$710.00 |                 |
| Total Claims   | 22     | - 20 = 2 | x \$18.00        | =        | 36.00           |
| Independent Claims   | 2      | - 3 = 0  | x \$80.00        | =        | 0.00            |
| Multiple Dependent Claim(s) Used .....                         |        |          | \$270.00         | =        | 0.00            |
| <b>FILING FEE - NON-SMALL ENTITY</b> .....                     |        |          |                  |          | <b>\$746.00</b> |
| <input type="checkbox"/> Applicant claims small entity status. |        |          |                  |          |                 |
| Filing Fee - Small Entity (Reduced by 1/2) .....               |        |          |                  |          |                 |
| Assignment Recordal Fee (\$40.00) .....                        |        |          |                  |          |                 |
| 37 C.F.R. § 1.17(k) Fee (non-English application).....         |        |          |                  |          |                 |
| <b>TOTAL</b> .....   |        |          |                  |          | <b>\$746.00</b> |

A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-1682. A duplicate copy of this document is enclosed.

The calculated fees will be paid within the time allotted for completion of the filing requirements.

The calculated fees are to be charged to Deposit Account No. 50-1682. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

**Foreign Priority:** Priority based on Application No. , filed , is claimed.

A copy of the above referenced priority document  is enclosed /  will be filed in due course, pursuant to 35 U.S.C. § 119(a)-(d).

**Provisional Application Priority:** Priority based on United States Provisional Application No. , filed , is claimed under 35 U.S.C. § 119(e).

Date March 19, 2001

**4. Other Submissions**

A Preliminary Amendment is enclosed.

An Information Disclosure Statement, sheets of PTO Form 1449, and copies of cited references are enclosed.

A power of attorney

is submitted  with the new Declaration.

is of record in the prior application and  is in the original papers /  a copy is enclosed.

An Assignment of the invention

is enclosed with a cover sheet pursuant to 37 C.F.R. §§ 3.11, 3.28 and 3.31.

is of record in a prior application. The assignment is to \_\_\_\_\_, and is recorded at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_.

An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. § 3.73(b), and Power Of Attorney is enclosed.

An Express Mailing Certificate is enclosed.

Other: acknowledgement postcard

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Attention is directed to the fact that the correspondence address for this application is:

POWELL, GOLDSTEIN, FRAZER & MURPHY LLP  
P.O. BOX 97223  
WASHINGTON, D.C. 20090-7223

Respectfully,



Date March 19, 2001  
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Date: March 19, 2001

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**EXPRESS MAILING CERTIFICATE**

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For: PROCESS FOR PREPARATION OF PROTEIN-HYDROLYSATE FROM SOY FLOUR

Attorney Docket No.: 148920.00007

Attorney: Thomas T. Moga

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**Date of Deposit: . . . . . March 19, 2001**

I hereby certify and verify that the accompanying PATENT APPLICATION including acknowledgement postcard, Transmittal Letter (in triplicate), 17 page patent application (1 title page, 12 pages specification, 3 pages claims, 1 page abstract) and unexecuted Declaration and Power of Attorney is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.



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Signature of Person Mailing Document(s)